

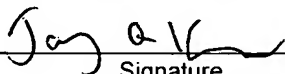
I hereby certify that this correspondence is being deposited
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Mail Stop Amendment, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450

August 11, 2009

Date of Deposit

Jay Q. Knobloch, Reg. No. 57,347

Name of Registered Representative



Signature

August 11, 2009

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: RANSOM et al.

Appln. No.: 10/666,398

Filed: September 19, 2003

For: PUSH COMMUNICATIONS
ARCHITECTURE FOR
INTELLIGENT ELECTRONIC
DEVICES

Examiner: Maria N. von Buhr

Group Art Unit: 2121

Confirmation No.: 9324

Attorney Docket No: 6270/126 (300126)

NINTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c)(2), Applicant hereby cites the references listed below.

These references were recently brought to the attention of the Applicant during the course of a litigation in which one or more related patents were asserted. The lawsuit was assigned the caption Square D Company v. E.I. Electronics, Inc., 1:06-cv-05079 (N.D. Ill.). During this litigation, the defendant filed at least two expert reports. One of the expert reports, which will be referred to herein as "the Bingham report," was authored by Richard Bingham and was signed on June 18, 2009. A second expert report, which will be referred to herein as "the Warnecke report," was authored by

Michael O. Warnecke and signed on May 27, 2009. For the convenience of the Examiner, and in order to fully comply with the duty disclosure, the Applicant is submitting copies of the Bingham and Warnecke reports with this Statement.

While the Applicant has attempted to locate copies of all of the references cited in these expert reports, several references could not be located. In regards to the Bingham report, the author reviewed a significant amount of references during the preparation of the Bingham report, as shown on pages 2-3 and 6-10 of the Bingham report. Unfortunately, the defendant has not provided the Applicant with copies of, or even correct citations for, each of the references referred to therein. Appendix A of this Statement shows a letter sent by the defendant's counsel, Benjamin T. Horton, on July 21, 2009 via email. The letter includes an "Exhibit A," which includes a list (hereinafter, "the Horton list") allegedly disclosing the location(s) of the reference cited in the Bingham report within previously provided Discovery documents produced earlier in the litigation. It appears that the Horton list is setup so that the first column is a listing of each reference reviewed in the Bingham report and the second column is a listing of the corresponding Bates Number(s) reference to the produced documents. Unfortunately, the Horton list fails to account for all of the references cited in the Bingham report and mis-cites several of the documents which are listed, making it difficult to locate copies of these references.

Accordingly, as the Applicant has been unable to locate copies of each of the references disclosed in the Bingham report, in order to fully comply with the duty of disclosure, the Applicant is submitting copies of each of the references referenced by the Bates Number(s) provided in the Horton list. For the convenience of the Examiner, Appendix B includes a list of the references being cited in this Statement as they relate to the Horton List. As shown in Appendix B, column 1 is a listing of all of the documents listed in the Bingham report. Column 2 is a list of the documents provided on the Horton list. Column 3 is a list of the Bates Number(s) for the documents listed in the Horton list. Column 4 is a list of the documents found at the Bates Number(s) disclosed in the Horton list. As shown in Appendix B, there are several documents which were not provided in the Horton list but were included in the Bingham report. The Applicant was able to locate some of these documents, such as the "Gunther Deposition," but was not able to locate all of the documents. In addition to the references that the Applicant was able to locate, the Applicant is citing the documents shown in column 4.

In regards to the Warnecke report, the Applicant is citing the references mentioned in the discussion. These references are being cited out of an abundance of caution, even though some of these references may have been cited in previous information disclosure statements.

U.S. PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	NAME
5,768,148	06/1998	Murphy et al.
5,862,391	01/1999	Salas et al.
6,105,093	08/2000	Rosner et al.
6,178,362	01/2001	Woolard et al.
6,272,552	08/2001	Melvin et al.
6,298,376	10/2001	Rosner et al.
6,301,527	10/2001	Butland et al.
6,321,272	11/2001	Swales
6,535,983	03/2003	McCormack et al.
6,553,418	04/2003	Collins et al.
6,587,884	07/2003	Papadopoulos et al.
6,618,709	09/2003	Sneeringer
6,640,308	10/2003	Keyghobad et al.
6,671,635	12/2003	Forth et al.
6,714,977	03/2004	Fowler et al.
6,762,675	07/2004	Cafiero et al.
6,792,337	09/2004	Blackett et al.
6,961,641	11/2005	Forth et al.
7,181,517	02/2007	lavergne et al.
7,327,558	02/2008	Kennedy et al.
7,447,762	11/2003	Curray et al.
2003/0226050	12/2003	Yik et al.
2004/0024717	02/2004	Sneeringer

NON-PATENT DOCUMENTS DISCLOSED IN THE BINGHAM REPORT

ABB Alpha Solid State Polyphase Meter, Product Bulletin 42-270-B, September 15, 1995
Dranetz Power Platform® PP1 & PP1E with TASKCard®-8000 Operator's Manual Revision A, April 15, 1997
Dranetz Power Platform® 4300 with TASKCard® 808 User's Guide, pps. ii-146, July 1998
Deposition of Erich W. Gunther, pps. 1-250, November 14, 2008
Dranetz Brochure, "Total Electrical System Management 8000-2", pps 1-3
Dranetz Power Platform® PP1 and PP1E TASKCard®-PQPLUS Operator's Manual Revision A, April 15, 1997

Dranetz Brochure, "Tomorrow's Technology Working for You Today", pps. 1-11, 1994
BMI Brochure, "PowerProfiler™ 3030(A)", pps. 1-2, 1994
BMI 3030/3060 Power Profiler User's Guide, pps. 1-8, 1990
Dranetz OM-PC-PP1 PC PP1 Communication and Analysis Software Operator's Manual, pps. 1-6, March 15, 1994
Dranetz Brochure, "Power Platform® PP1-R", pp. 1-2
DRAN-SCAN® 2000 Version 3.x, Power Quality Monitoring System Installation and Startup Guide, pps. ii-43, November 1998
Dranetz Power Platform® PP1-R User's Guide Revision A, November 1998
Dranetz Brochure, "Power Platform 4300 with TASKCard 808 Demand/Energy and Harmonic Analysis", pp. 1, 1996
Dranetz Power Platform® Model 4300 TASKCard® PQLite Operator's Manual Revision A, January 15, 1997
Dranetz Power Platform® 4300 TASKCard® PQLite User's Guide Revision B, May 1, 2002
7100/7100S PQNode® User's Guide, pps. iii-33, 1998
7100/7100S PQNode® User's Guide, pps. iii-33, 1998
8010 PQNode User's Guide, Revision A, pps. iii-33, 1998
8010 PQNode User's Guide, Revision A, pps. iii-33, 1998
Power Measurement Ltd., 3720 ACM Advanced Power Instrumentation Package, pps. 1-12, September 14, 1992
Brochure, Model 3600A Power Line Disturbance Monitor, pps. 1-5
Liebert Brochure, Model 3600A Portable Programmable Power Line Disturbance Monitor, pps. 1-2, 1985
Franklin Electric Service Manual for Model 3600 Power Line Disturbance Monitor, pps. 1-28
Brochure, "DataNodes™ EPQ Series, A Clear and Open Window to Enhanced Power Quality, Energy and More", pp. 1
Melhorn et al., "Accessing Power Quality Information and Monitoring Results Using the World Wide Web or a Private Corporate Web", pps 1-12
Dranetz Series 5500 InfoNode® User's Guide Revision D, 1999
Dranetz Series 5500 InfoNode® User's Guide Revision D, 1999
Signature System™ Brochure, "Information. Knowledge. Power.", pps. 1-9, 1999
Dranetz Series 5500 DualNode User's Guide Revision C, 2002
Dranetz EPQ DataNode® Series User's Guide Revision D, 2000
Dranetz Power Platform, PP1 SM-PP1 Service Manual, February 1, 1995
Dranetz Power Platform 4300 Service Manual, Revision B, May 1, 2002
kV S-Base Meters, pps. 1-2, September 1999
GE kV Vector Electricity Meter, Product Description, Option Board Installation Procedures, Operating Instructions, Maintenance Instructions and Cite Analysis Guides, 1997
Manual, "kV Vector Electricity Meter with the Site Genie Monitor"
Gunther et al., "Application of Advanced Characterization Algorithms, UCA and Internet Communications Technology At the Point of Power Quantity and Quality Measurement", <i>Presented at EPRI 1999 PQA Conference, Charlotte, NC</i> , pps. 1-16, 1999

Gunther et al., "Application of Advanced Algorithms and Internet Communications Technology at the Point of Power Measurement," http://www.pqmonitoring.com/papers/ieee99sm/ , IEEE Summer Meeting 1999, July 20, 1999, 23 pages
Dranetz Series 5500 InfoNode User's Guide, Revision D, 2000
Dranetz Power Evaluation Software User's Guide, Revision H, 2000
Dranetz Brochure, "Series 626 Universal Disturbance Analyzer", pps. 1-16
Dranetz 8800 PowerScope® User's Guide, 1992
Manual, "TM-115000-G1 Volume 2-Service Manual Model 658 Power Quality Analyzer, Revision A," March 1, 1995
Dranetz 658 PQ Analyzer User's Guide, Revision A, February 15, 1997
Dranetz Brochure, "Power Platform 4300 Handheld Power Analysis", pp. 1-6, 1995
"Electronic Energy Meter with Powerline Modem on DSP56F80x", Preliminary Information Application Brief, pps. 1-2, 2000

NON-PATENT DOCUMENTS DISCLOSED IN THE WARNECKE REPORT

Square D Bulletin, "Powerlogic® Series 4000 Circuit Monitor", pps. 1-6, April 2000
Square D Bulletin, "Powerlogic Ethernet Communication Card", pps. 1-2, August 2000

OTHER ART

"Powerlogic® Advanced Power Reliability Solutions," Square D Schneider Electric, brochure, 2000, 6 pages
"Powerlogic® Circuit Monitor – Series 2000," Class 3020, Square D Schneider Electric, brochure, 6 pages
"Powerlogic® Power Meter," Class 3020, Square D Schneider Electric, brochure, 1998, 3 pages
"Powerlogic® Metering and Monitoring Devices," Square D Schneider Electric, brochure, 2000, 3 pages
"Powerlogic® Power Monitoring and Control System," Square D Schneider Electric, brochure, 1998, 8 pages
"Powerlogic® Series 4000 Circuit Monitor," Square D Schneider Electric, brochure, 2000, 4 pages
"Digest," Square D Schneider Electric, product catalog, March 2000, 10 pages
"Powerlogic ® Series 4000 Circuit Monitor Now Available with Ethernet Communications Card," Square D Schneider Electric, News Release, July 20, 2000, 2 pages
"Powerlogic ® Ethernet Communications Card," Square D Schneider Electric, Instruction Bulletin, September 2000, 59 pages
"Powerlogic ® Series 4000 Circuit Monitor," Square D Schneider Electric, brochure, April 2000, 6 pages
"Powerlogic ® Ethernet Communication Card," Square D Schneider Electric, brochure, August 2000, 2 pages
"Powerlogic ® Ethernet Communication Card," Square D Schneider Electric, brochure, November 2004, 2 pages

"Powerlogic ® Circuit Monitor Series 4000, Instruction Bulletin No. 63230-300-200, February 2000 Now Available with Ethernet Communications Card," Square D Schneider Electric, News Release, July 20, 2000, 282 pages
"Powerlogic ® Ethernet Communications Card," Schneider Electric, Instruction Bulletin No. 63230-304-200, September 2000, 70 pages
"Powerlogic ® Circuit Monitor Series 4000 Installation Manual," Schneider Electric, Instruction Bulletin No. 63230-300-209B1, December 2005, 110 pages
"Powerlogic ® Circuit Monitor Series 4000 Installation Manual," Schneider Electric, Instruction Bulletin No. 63230-300-212B1, December 2005, 234 pages
"Powerlogic ® Ethernet Communications Card," Schneider Electric, Instruction Bulletin No. 63230-314-202A4, January 2006, 14 pages
"Powerlogic ® Ethernet Communications Card," Schneider Electric, Instruction Bulletin No. 63230-304-204A4, January 2006, 46 pages
"GE kV2 Multifunction Electricity Meter," GE Industrial Systems, GEH-7277, Product Description, Operating Instructions, Maintenance Instructions, Upgrading, Site Analysis Guides, Diagrams, 12/2000.
Report of Richard Bingham dated June 18, 2009
Report of Michael O. Warnecke dated May 27, 2009

For the convenience of the Examiner, the Applicant is enclosing Form PTO-1449, along with copies of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above references and entry thereof into the record of this application.

By submitting this Statement, the Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56.

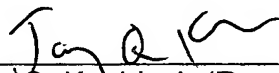
The Applicant is also the owner of U.S. Patent No. 6,751,562, which was assigned Reexamination Control No. 90/009,028; U.S. Patent No. 6,983,211, which was assigned Reexamination Control No. 90/008,874; U.S. Patent No. 6,871,150, which was assigned Reexamination Control No. 90/009,006; U.S. Patent No. 6,186,842, which was assigned Reexamination Control No. 90/008,873; U.S. Patent No. 7,158,050, which was assigned Reexamination Control No. 90,009,029; and U.S. Patent No. 7,191,076, which was assigned Reexamination Control No. 90/009,039. As such, the Applicant respectfully submits that portions of the information disclosed in the file histories of the other reexamination proceedings may be relevant to the present case and requests that the Examiner review the information in detail. As this information is available via PAIR,

the Applicant has not included copies or provided a list of each action; however, is willing to provide copies or such a listing upon request.

Applicants have calculated an RCE filing fee in the amount of \$810.00 in order to have this Information Disclosure Statement considered. The Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the accompanying Transmittal.

Respectfully submitted,

August 11, 2009
Date



Jay Q. Knobloch (Reg. No. 57,347)